

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-17 and 23-25 remain pending in this application, and claims 18-22 are withdrawn from consideration.

Double Patenting Rejection

Claims 1-2, 3-8, 9-17 and 23-25 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over certain claims of co-pending Published Patent Application 2004/0169614. As noted by the Examiner, a terminal disclaimer may be used to overcome this rejection. Upon indication of allowance of the pending claims, Applicant will consider filing a terminal disclaimer.

Rejection under 35 U.S.C. §§ 102 and 103

Claims 1, 3-6, 9, 12, 14, 23 and 25 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by UK. Patent Publication GB 2,387,489 to Jong Cheol Yoon (hereinafter “Jong Cheol”). Applicant respectfully traverses this rejection for at least the following reasons.

As noted in an earlier response by Applicant, embodiments of the present invention are directed to antennas used for wireless communication which provide size reduction and performance improvement. According to certain embodiments of the invention, a capacitively coupled antenna is coupled to a substrate. The antenna is defined by a first portion, a second portion and a third portion. As exemplarily illustrated in Figure 1c of the present application, a capacitive area 4 of the antenna is formed. The substrate is provided with a void, and the capacitive area of the antenna generally spans the void. Accordingly, claim 1 recites “wherein a capacitive area of the antenna substantially spans the void.” Independent claims 3, 9 and 23 each recite a similar feature.

In sharp contrast, Jong Cheol fails to teach or suggest any such features. The Examiner apparently refers to the hollow interior of the case 41 as a “void” and the various parts of the PIFA 40 as the first, second and third portions of the claimed invention. Jong Cheol fails to indicate any capacitive area of the PIFA 40. There is no indication in Jong Cheol of whether any capacitive area spans the entire hollow interior of the case 41.

Since Jong Cheol fails to indicate the existence or size of any capacitive area, it fails to teach or suggest an antenna “wherein a capacitive area of the antenna substantially spans the void.” Accordingly, Jong Cheol fails to anticipate the claims.

Claims 1, 3, 9 and 23 are, therefore, patentable. Claims 4-6 depend from allowable claim 3 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claims 12 and 14 depend from allowable claim 9, and claim 25 depends from allowable claim 23. Therefore, claims 12, 14 and 25 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Claims 2, 13 and 16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jong Cheol. Further, claims 7-8 and 10-11 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jong Cheol in view of U.S. Patent Publication No. 2004/0135726 A1 to Shamir et al. Further, claims 15, 17 and 24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jong Cheol in view of U.S. Patent No. 6,281,854 to Ohaka et al. Applicant respectfully traverses these rejections for at least the following reasons.

Claim 2 depends from allowable claim 1 and is, therefore, patentable for at least that reason, as well as for additional patentable features when that claim is considered as a whole. Similarly, claims 7-8 depend from allowable claim 3, claims 10, 11, 13 and 15-17 depend from allowable claim 9, and claim 24 depends from allowable claim 23. Therefore, claims 7-8, 10, 11, 13, 15-17 and 24 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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